

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Patricia M. Colburn,
Plaintiff

v.

Richard Cappiello, et al
Defendants.

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) Civil Action No. 04-11784 MLW
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**DEFENDANT'S CERTIFICATION OF COMPLIANCE
WITH LOCAL RULE 16.1(D)(3)**

Defendant Richard Cappiello and his attorney hereby affirm that we have conferred in accordance with Local Rule 16.1(D)(3) and discussed the potential costs of conducting this litigation and alternative means of dispute resolution.

s/ Richard Cappiello
Richard Cappiello, Defendant

s/ Nicole Horberg Decter
Harold L. Lichten, BBO #549689
Nicole Horberg Decter, BBO #658268
Pyle, Rome, Lichten, Ehrenberg, and
Liss-Riordan, P.C.
18 Tremont Street, Suite 500
Boston, MA 02108
(617) 367-7200

Dated: March 11, 2005

Dated: March 10, 2005

CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2005, I caused a copy of this document to be served by first-class mail on all counsel of record and the Plaintiff, Ms. Patricia Colburn who has appeared pro se.

s/ Nicole Horberg Decter
Nicole Horberg Decter, Esq.